

FILED IN UNITED STATES DISTRICT  
COURT, DISTRICT OF UTAH

SEP - 8 2009

D. MARK JONES, CLERK  
BY  DEPUTY CLERK

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IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH, CENTRAL DIVISION

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UNITED STATES OF AMERICA,	:	INFORMATION
	:	<i>#2:09 po-00695-RTB</i>
Plaintiff,	:	COUNT I
	:	36 C.F.R. § 1.5(f) FAILURE TO COMPLY
v.	:	WITH ABATEMENT PROCEDURE
JOHNNY A. WARD,	:	COUNT II
	:	36 C.F.R. § 1.5(f) FAILURE TO DISPLAY
Defendant.	:	CLEAN BOAT CERTIFICATE
	:	Magistrate Judge Robert T. Braithwaite

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The United States Attorney charges:

**COUNT I**  
Class B Misdemeanor

On or about August 17, 2009, in the Central Division of the District of Utah, within Glen  
Canyon National Recreation Area,

**JOHNNY A. WARD,**

the defendant herein, was found to have failed to comply with Park abatement procedure as  
described in the Statement of Probable Cause attached and incorporated as though set forth fully

herein; all in violation of 36 C.F.R. § 1.5(f).

**COUNT II**  
Class B Misdemeanor

On or about August 17, 2009, in the Central Division of the District of Utah, within Glen Canyon National Recreation Area,

**JOHNNY A. WARD,**

the defendant herein, was found to have failed to display clean boat certificate as described in the Statement of Probable Cause attached and incorporated as though set forth fully herein; all in violation of 36 C.F.R. § 1.5(f).

DATED this 8<sup>TH</sup> day of September, 2009.

BRETT L. TOLMAN  
United States Attorney

A handwritten signature in black ink, appearing to read 'Paul Kohler', is written over a horizontal line.

PAUL KOHLER  
Assistant U.S. Attorney

STATEMENT OF PROBABLE CAUSE  
(For issuance of an arrest warrant or summons)

I state that on 08/17, 2009 while exercising my duties as a  
law enforcement officer in the — District of UTAH

While on patrol in Glen Canyon National Recreation Area I was contacted by Glen Canyon Dispatch Center about a tow vehicle and vessel at Lone Rock Beach that had failed to proceed to the decontamination facility after being directed to do so by the fee booth operator. I located the tow vehicle, a white Sunrise RV (NV plate 900 UFW) and contacted the owner, Jonny WARD (NV DL# 0800895671). I asked Ward if he had launched his boat and if he had gone to the decontamination facility. He stated that he had launched his boat and that he had not gone to the decontamination facility and that he did not think it was a "big deal". I referenced 36 CFR 1.5(f) and cited WARD for failure to abide by park abatement process.

The foregoing statement is based upon:

- ☒ my personal observation      ☒ my personal investigation  
☐ information supplied to me from my fellow officer's observation  
☐ other (explain above)

I declare under penalty of perjury that the information which I have set forth above and on the face of this violation notice is true and correct to the best of my knowledge.

Executed on: 08/17/2009 [Signature]  
Date (mm/dd/yyyy)      Officer's Signature

Probable cause has been stated for the issuance of a warrant.

Executed on: \_\_\_\_\_  
Date (mm/dd/yyyy)      U.S. Magistrate Judge

STATEMENT OF PROBABLE CAUSE  
(For issuance of an arrest warrant or summons)

I state that on 08/11, 2009 while exercising my duties as a  
law enforcement officer in the \_\_\_\_\_ District of UTAH

While on patrol in Glen Canyon National Recreation Area I was contacted by Glen Canyon Dispatch Center about a tow vehicle and vessel at Lone Rock Beach that had failed to proceed to the decontamination facility after being directed to do so by the fee booth operator. I located the tow vehicle, a white Sunrise RV (NV plate 900 UFW) and contacted the owner, Jonny WARD (NV DL# 0800895671). I asked WARD if he had a "Clean Boat" Certification and he stated that he did not. All tow vehicles that are parked in Glen Canyon National Recreation are required to display a certification that the vessels that they launch are free of the invasive Zebra and Quagga Muscles. I referenced 36 CFR 1.5(f) and cited WARD for failure display clean boat certification.

The foregoing statement is based upon:

- ☒ my personal observation      ☒ my personal investigation  
☐ information supplied to me from my fellow officer's observation  
☐ other (explain above)

I declare under penalty of perjury that the information which I have set forth above and on the face of this violation notice is true and correct to the best of my knowledge.

Executed on: 08/17/2009 [Signature]  
Date (mm/dd/yyyy)      Officer's Signature

Probable cause has been stated for the issuance of a warrant.

Executed on: \_\_\_\_\_  
Date (mm/dd/yyyy)      U.S. Magistrate Judge